

REMARKS

By this Amendment, Applicants amend claims 3-5 and 15-17. Claims 3-5 and 15-29 remain pending in this application.

In the Office Action, the Examiner rejected claims 3-5 and 15-20 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Examiner also allowed claims 21-29. Applicants appreciate the Examiner's indication of allowable subject matter in this case.

Although Applicants respectfully traverse the rejection of claims 3-5 and 15-20 under 35 U.S.C. § 101, Applicants have amended claims 3-5 and 15-17 for further clarity. For example, claims 3-5 have been amended to recite a "computer-readable information storage medium" and claims 15-17 have been amended to recite a "data structure embodied in a computer-readable information storage medium." As indicated in MPEP § 2106, "a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory." See MPEP § 2106, IV.B.1.(a). Accordingly, claims 3-5 and 15-17 recite statutory subject matter. Furthermore, claims 18-20 depend from amended claim 5 and also recite statutory subject matter at least due to their dependence.

Claims 3-5 and 15-20, therefore, meet the requirements of 35 U.S.C. § 101 and are in *prima facie* condition for allowance. Applicants respectfully request that the Examiner withdraw the rejection of claims 3-5 and 15-20 under 35 U.S.C. § 101.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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